

Notice of Allowability

Application No.

10/056,800

Examiner

George C Yeung

Applicant(s)

KINDIE ET AL.

Art Unit

1761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) ~~is~~ are 1-20.
3. ☒ The drawings filed on 25 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/29/2002
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

George C Yeung
Primary Examiner
Art Unit: 1761

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Examiner's Amendment

In order to correct obvious informalities, pursuant to MPEP 1302.04, the following changes have been made by the Examiner:

1. In claim 14, line 1, "1" has been changed to -- 12 -- (note that no antecedent basis has been established in claim 1 for "the lift arm" and "the lifting and depositing positions" recited in claim 14, lines 2 and 3).
2. In claim 17, line 1, "1" has been changed to --16 -- (note that no antecedent basis has been established in claim 1 for "the controller" recited in claim 17, line 1).


Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The prior art of record does not show or suggest the present apparatus and method for producing bread from a batter mixture, wherein a heating element is arranged to generate heat below a flat cooking surface in a cooking position of the cooking surface, a batter dispenser is arranged to dispense batter directly onto the cooking surface, a cooling area is spaced from the cooking surface in the cooking position thereof, and a transfer mechanism is arranged to transfer cooked batter from the cooking surface to the cooling area.

Prior Art Citation

The Konig patent is cited to show a plant for treating baked goods. The Sala patent is cited to show a pancake batter dispensing device and apparatus for making pancakes.

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GEORGE C. YEUNG
PRIMARY EXAMINER